

REMARKS

Claims 1-108 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-3, 8-16, 21-31, 36-38, 42-49, 53-60, 64-67, 72-80 and 85-90 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,717,997 ("Cranford") in view of U.S. Pat. No. 6,305,001 ("Graef"). This rejection is respectfully traversed.

Claim 1 recites a phase controller that alters a phase of each information communication clock signal (of each of the plurality of information communication devices) by a predetermined amount to at least double a combined amplitude of individual waveforms of output current events of the plurality of information communication devices.

A. *Cranford does not show, teach, or suggest at least doubling a combined amplitude of individual waveforms of output current events of a plurality of information communication devices.*

The Examiner recognizes that Cranford does not disclose at least doubling a combined amplitude of individual waveforms of output current events (Page 4 of the Office Action). The

Examiner nevertheless alleges that the feature is disclosed by Graef. Applicant respectfully disagrees.

B. Graef does not show, teach, or suggest at least doubling a combined amplitude of individual waveforms of output current events of the plurality of information communication devices.

As best understood by Applicant, Graef is directed to grouping together clock recipients that are scheduled to be active at the same time (Column 9, Lines 29-35 of Graef). Graef then lengthens or shortens the clock cycle for the group depending on when and how long members of the group need to be active (Column 11, Lines 3-15 of Graef).

Graef does not disclose doubling a combined amplitude of individual output waveforms. Instead, a controller of Graef notes that the clock recipients are scheduled to be active at the same time (Column 9, Lines 30-35 of Graef). The clock recipients in Graef therefore have set times when they are receiving clock signals. Output waveforms in Graef are therefore simply dependent on the numbers of clock recipients in the group. However, no doubling of a combined amplitude is disclosed in Graef.

Amplitudes of waveforms are not specifically discussed in Graef. However, it is apparent that amplitudes of waveform of output current events in Graef are a function of scheduling and

are not adjusted or at least doubled at any point, as they are in claim 1. While clock recipients of Graef may operate at the same time, Graef does not disclose any control that doubles a combined amplitude of individual output waveforms for the clock recipients.

C. Claim 1 has limitations not taught by either reference.

It is a longstanding rule that to establish a *prima facie* case of obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior art. *In re Royka*, 180 USPQ 143 (CCPA 1974). See MPEP § 2143.03. For at least the above reasons, Applicant respectfully asserts that claim 1 defines over the cited art.

D. The references teach away from the proposed combination.

Cranford teaches away from the proposed combination. Specifically, Cranford teaches away from a phase controller that alters a phase of information communication clock signals by a predetermined amount to at least double a combined amplitude of individual waveforms of output current events. Cranford is directed to implementing "control signal staggering for multiple transceivers" to provide "precise and stable delays" for the transceivers (Column 2, Lines 18-24 of Cranford). Cranford refers to the delays as "desirable" (Id.).

In other words, Cranford is directed to delaying control of each of a plurality of transmitters so that amplitudes of output current events are not increased. Cranford therefore teaches away from adjusting phases of signals to at least double a combined amplitude of individual waveforms of output current events.

"(W)hen the prior art teaches away from combining certain known elements, discovery of a successful means of combining them is more likely to be non-obvious." When two known elements which form the claimed combination "cannot be combined [in view of the known prior art]...in the manner described" in the claim, the combination is likely to be non-obvious. KSR Int'l v. Teleflex Inc., 127 S.Ct. 1727 (2007).

Claim 1 is therefore allowable for this additional reason.

E. Other Claims

Independent claims 14, 27, 37, 48, 59, 65, 78, 91, and 100 are allowable for at least similar reasons as claim 1.

F. Dependent Claims

Applicant respectfully notes that claims 2-13, 15-26, 28-36, 38-47, 49-58, 60-64, 66-77, 79-90, 92-99, and 101-108 ultimately depend directly or indirectly from claims 1, 14, 27, 37, 48, 59, 65, 78, 91, and 100 and are therefore allowable for

at least similar reasons as claim 1. Applicant's position with respect to claims 2-13, 15-26, 28-36, 38-47, 49-58, 60-64, 66-77, 79-90, 92-99, and 101-108 should not be understood as implying that no other reasons for the patentability of claims 2-13, 15-26, 28-36, 38-47, 49-58, 60-64, 66-77, 79-90, 92-99, and 101-108 exist. Applicant reserves the right to address these other reasons at a later date if needed.

G. Other Rejections

Claims 5, 18, 33, 40, 51, 62, 69 and 82 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cranford in view of Graef and further in view of U.S. Pub. No 2003/0006851 ("Wood"). Claims 91-93, 96-102 and 105-108 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. Cranford in view of U.S. Pub. No. 2003/0197498 ("Watanabe") and Graef. Claims 4, 17, 32, 39, 50, 61, 68 and 81 are rejected as being unpatentable over Cranford in view of Graef, and further in view of Watanabe. Claims 7, 20, 34, 71 and 84 are rejected over Cranford, in view of Graef and further in view of U.S. Pat. No. 5,610,911 ("Ishikawa"). Claims 6, 19, 35, 41, 52, 63, 70 and 83 as being unpatentable over Cranford in view of Graef and further in view of European Pat. No. 0 903 660 A1 ("Graef 1"). Claims 95 and 104 are rejected over Cranford in view of Watanabe and Graef and further in view of Ishikawa. Claims 94 and 103

are rejected over Cranford in view of Watanabe and Graef and further in view of Graef 1. These rejections are respectfully traversed.

Wood, Watannabe, Ishikawa and Graef 1 do not remedy the deficiencies of Cranford and Graef with respect to claims 1, 14, 27, 37, 48, 59, 65, 78, 91, and 100. As mentioned, claims 4-7, 17-20, 32-35, 39-41, 50-52, 61-63, 68-71, 81-84 and 91-108 ultimately depend from claims 1, 14, 27, 37, 48, 59, 65, 78, 91, and 100 and are therefore in condition for allowance for at least similar reasons.

Applicant's position with respect to claims 4-7, 17-20, 32-35, 39-41, 50-52, 61-63, 68-71, 81-84 and 91-108 should not be understood as implying that no other reasons for the patentability of claims 4-7, 17-20, 32-35, 39-41, 50-52, 61-63, 68-71, 81-84 and 91-108 exist. Applicant reserves the right to address these other reasons at a later date if needed.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly addressed. For all of the reasons set forth above, Applicant submits that the application is in condition for allowance. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. By addressing particular positions taken by the Examiner in the above remarks, Applicant does not acquiesce to other positions that have not been explicitly addressed. In addition, Applicant's arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

If the Examiner believes that personal communication will allow any outstanding issues to be resolved, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated:

3/25/2010

By:


Michael D. Wiggins
Reg. No. 34,584

Justin H. Purcell
Reg. No. 53,493

HARNESS, DICKY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MDW/JHP/jlk

15384010.1